

July 26, 2022 – EMPIRE VILLAGE COUNCIL REGULAR MEETING

President Davis called the Regular Meeting to order, and Palmer led the Pledge of Allegiance at 7:00 p.m. at the Empire Township Hall. Upon a roll call, Council members Bacon, Barr, Chase, Davis, Dye, Palmer and Rademacher were present. Clerk Smith, Treasurer Schultz and Zoning Administrator Grobbel were also present.

CHANGES/ADDITIONS TO AGENDA – None.

ADOPTION OF AGENDA - Motion by Bacon support by Dye to approve the agenda as presented. Upon a voice vote, MOTION PASSED.

PUBLIC COMMENTS ON AGENDA ITEMS – None.

CONSENT AGENDA – Motion by Palmer, support by Dye to remove the June 14, 2022, minutes, and place under Old Business #3. ROLL CALL: Ayes: Palmer, Dye. Nays: Barr, Bacon, Chase, Davis, Rademacher. MOTION DEFEATED. Motion by Bacon, support by Barr to approve the Consent Agenda including the minutes of the Regular Meeting 6-28-22 and the Bills totaling \$23,994.77 and to add the June 14, 2022, minutes under Old Business #3. ROLL CALL: Ayes: Barr, Bacon, Chase, Dye, Davis, Palmer, Rademacher. Nays: None. MOTION PASSED.

Motion by Dye, support by Palmer to approve the agenda as amended. ROLL CALL: Ayes: Bacon, Chase, Davis, Dye, Palmer, Rademacher. Nays: Barr. MOTION PASSED.

REVIEW OF FINANCIAL STATEMENTS – Treasurer's report was received.

COMMUNICATIONS – None.

DEPARTMENT HEAD REPORTS – Zoning Administrator Grobbel reviewed some discrepancies with the point-of-sale reports that have been corrected, a parking ordinance violation that is being followed up on and possible expansion of Cherry Republic facilities. The DPW report was received.

COUNCIL MEMBER /COMMITTEE REPORTS – None.

OLD BUSINESS

WATER RATES AND HOOKUP FEES – Motion by Bacon, support by Barr to use the audited data from 2020 provided to Gosling Czubak and used to develop their suggested Water Rates per the MI Supreme Court ruling in Bolt vs the City of Lansing. Discussion included the Gosling Czubak recommendations and the need to examine the numbers and rates annually. ROLL CALL: Ayes: Barr, Bacon, Chase, Davis, Dye, Palmer, Rademacher. Nays: None. MOTION PASSED.

Motion by Bacon, support by Rademacher to provide the fee structure regarding Ready to Serve and Water Use rates for Residential and Commercial to the public in preparation for the Public Hearing on August 23, 2022, at 7:00 p.m. ROLL CALL: Ayes: Barr, Bacon, Chase, Davis, Dye, Palmer, Rademacher. Nays: None. MOTION PASSED. Davis noted that the Regular Meeting will follow the Public Hearing.

Motion by Bacon, support by Rademacher to make the chart regarding Water Service Benefit and Connection Fees available to the public in preparation for the Public Hearing on August 23, 2022. ROLL CALL: Ayes: Barr, Bacon, Chase, Davis, Dye, Palmer, Rademacher. Nays: None. MOTION PASSED.

LEGAL REVIEW REQUEST OF PERSONNEL POLICY – Motion by Bacon, support by Dye to retain the legal services of Olsen, Bzdok & Howard to review the Personnel Policy/Employee Handbook for an amount not to exceed \$1500.00. ROLL CALL: Ayes: Bacon, Barr, Chase, Davis, Dye, Palmer, Rademacher. MOTION PASSED.

7-28-22 MINUTES - Motion by Palmer, support by Dye to add to the minutes of July 14, 2022, under Personnel Policy (Legal review requested) the following verbiage: “The recommendation from our insurance company suggested that the council have the Personnel Policy reviewed by legal counsel familiar with employment issues”. ROLL CALL: Ayes: Dye, Palmer, Rademacher. Nays: Barr, Bacon, Chase, Davis. MOTION DEFEATED.

NEW BUSINESS

SLEEPING BEAR MARATHON MASS GATHERING EVENT – Zoning Administrator Grobbel reviewed the application process and status for this permit. There are two outstanding items 1) copy of lease agreement with Lions Club 2) Village Council approval to use the Village Beach Park. Motion by Bacon, support by Palmer to approve the Mass Gathering Permit for the use of the Village Beach Park property. Foul language and access for ambulances were discussed. Zoning Administrator Grobbel stated that Regulation of Speech is not within the purview of the Village and Traffic Control falls to the Sheriff’s Department. ROLL CALL: Ayes: Bacon, Chase, Davis, Dye, Palmer, Rademacher. Nays: Barr. MOTION PASSED.

PUBLIC COMMENT – County Commissioner Allgaier welcomed input from council members regarding a septic ordinance as the County is developing one.

COUNCIL MEMBER COMMENT – Appreciation was expressed on moving forward with the water rates.

ADJOURNMENT at 7:45 p.m.

Derith Smith Empire Village Clerk

These minutes were approved at the August 23, 2022, Regular Council meeting.